

HCS SB 12 -- RELIGIOUS FREEDOM RESTORATION ACT

SPONSOR: Kinder (Byrd)

COMMITTEE ACTION: Voted "do pass" by the Committee on Judiciary by a vote of 13 to 3.

This substitute prohibits a governmental authority from restricting a person's free exercise of religion unless the restriction is generally applicable, does not discriminate against religion, is necessary to further a compelling governmental interest, and is not unduly restrictive considering the relevant circumstances. Relevant circumstances may include legitimate penological interests needed to protect the safety and security of incarcerated persons and correctional facilities, but does not include reasonable requests by incarcerated individuals for the opportunity to pray, reasonable access to clergy, use of religious materials that are not violent or profane, and reasonable dietary requests. The substitute also specifies that its provisions apply to all state and local laws, resolutions, and ordinances regardless of whether the laws, resolutions, and ordinances were adopted before or after the bill's effective date.

FISCAL NOTE: No impact on state funds.

PROPOSERS: Supporters say that the bill as it passed the Senate promotes religious freedom and does not lead to excessive litigation.

Testifying for the bill were Senator Kinder; Anti-Defamation League; Jewish Community Relations Council; Missouri Coalition for the Free Exercise of Religion; and Missouri Catholic Conference.

OPPOSERS: Those who oppose the bill say that the bill needs to be more narrowly written to insure that children are protected.

Testifying against the bill was Dr. Rita Swan, Children's Healthcare Is a Legal Duty, Inc.

Julie Jinkens McNitt, Legislative Analyst